KATHLEEN MARION CARR
Office of the Field Solicitor
550 W. Fort Street, MSC 020
Boise, Idaho 83724
Telephone: (208) 334-1911
Facsimile: (208) 334-1918

***U.S. Department of the Interior, Bureau of Reclamation***

RECEIVED
JUL 01 2005
DEPARTMENT OF WATER RESOURCES

**BEFORE THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO**

| | |
|---|---|
| IN THE MATTER OF DISTRIBUTION OF WATER TO VARIOUS WATER RIGHTS HELD BY OR FOR THE BENEFIT OF A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, AND TWIN FALLS CANAL COMPANY | **RECLAMATION'S MOTION FOR AUTHORITY TO CONDUCT DISCOVERY** |

COMES NOW the U. S. Department of the Interior, Bureau of Reclamation ("Reclamation"), by and through its attorney, Kathleen Marion Carr, Office of the Field Solicitor, and files this Motion to Conduct Discovery of Parties and of the IDWR Staff.

Pursuant to Rule 521 of IDWR's Rules of Procedure, IDAPA 37.01.01.521, Reclamation hereby moves for authority to conduct all forms of discovery listed in Rule 520.01.a-d and to direct that discovery:

(a) to all other parties in this proceeding, and

(b) to the IDWR Staff to the extent that the presiding officer in this proceeding may take official notice of

(i) "any facts that could be judicially noticed in the courts of this state," Idaho Code § 67-5251(4)(a),

(ii) any "generally recognized technical or scientific facts within [IDWR's] specialized knowledge," § 67-5251(4)(b), and

(iii) "specific facts or materials noticed and the source thereof, including any [IDWR] staff memoranda and data," § 67-5251, relevant to this proceeding.

Reclamation respectfully requests that the Director issue an order authorizing Reclamation to conduct discovery as provided above in order to allow a full and fair discussion and analysis of the issues in this matter. Moreover, Reclamation requests that its discovery be allowed to commence as soon as possible.

Respectfully submitted this 1 day of July, 2005.

U.S. Department of the Interior, Bureau of Reclamation

By Kathleen M. Carr
KATHLEEN MARION CARR

## CERTIFICATE OF SERVICE

The undersigned certifies that on them 1 day of July 2005, a true and correct copy of **RECLAMATION'S OPPOSITION TO IGWA'S MOTION TO CONSOLIDATE** was served on the following person(s) as shown below:

**Director, Karl J. Dreher**
**Idaho Department of Water Resources**
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098
**By Hand Carry and Facsimile**
**(208) 287-6700**

**John K. Simpson**
**Barker Rosholt & Simpson, LLP**
P. O. Box 2139
Boise, ID 83701-2139
**By U.S. Mail and Facsimile**
**(208) 344-6034**

**Travis Thompson**
**Barker Rosholt & Simpson, LLP**
113 Main St. W, Ste. 303
Twin Falls, ID 83301-6167
**By U.S. Mail and Facsimile**
**(208) 735-2444**

**Roger Ling**
**Ling Robinson & Walker**
P. O. Box 396
Rupert, ID 83350
**By U.S. Mail and Facsimile**
**(208) 436-6804**

**Jeffrey C. Fereday**
**Michael C. Creamer**
**Givens Pursley, LLP**
P. O. Box 2720
Boise, ID 83701
**By U.S. Mail and Facsimile**
**(208) 388-1300**

**James S. Lochhead**
**Adam T. DeVoe**
**Brownstein Hyatt & Farber, P.C.**
410 17th St., 22nd Floor
Denver, CO 80202
**By U.S. Mail and Facsimile**
**(303) 223-1111**

**W. Kent Fletcher**
**Fletcher Law Office**
P. O. Box 248
Burley, ID 83318
**By U.S. Mail and Facsimile**
**(208) 878-2548**

**Scott L. Campbell**
**Moffatt Thomas Barrett Rock & Fields, Chtd**
P. O. Box 829
Boise, ID 83701
**By U.S. Mail and Facsimile**
**(208) 385-5384**

**C. Thomas Arkoosh**
**Arkoosh Law Office, Chtd.**
P. O. Box 32
Gooding, ID 83330-0032
**By U.S. Mail and Facsimile**
**(208) 934-8873**

**James Tucker**
**Idaho Power Company**
1221 W. Idaho St.
Boise ID 83702
**By U.S. Mail and Facsimile**
**(208) 388-6935**

**Josephine P. Beeman**
**Beeman & Associates, P.C.**
409 West Jefferson Street
Boise, ID 83702
**By U.S. Mail and Facisimile**
**(208)331-0954**

**Michael S. Gilmore**
**Deputy Attorney General, State of Idaho**
Statehouse, Room 210
Boise, ID 83720
**By U.S. Mail and Facsimile**
**(208) 334-2830**

**Idaho Department of Water Resources**
**Eastern Region Office**
900 N. Skyline Dr.
Idaho Falls, ID 83402-6105
**By U.S. Mail and Facsimile**
**(208) 525-7177**

**U.S. Bureau of Reclamation**
**Matt Howard, PN-3130**
1150 N. Curtis Road
Boise, ID 83706-1234
**By U.S. Mail and Facsimile**
**(208) 378-5305**

**Sarah A. Klahn**
**WHITE & JANKOWSKI, LLP**
511 16th Street, Ste. 500
Denver, CO 80202
**By U.S. Mail and Facsimile**
**(303) 825-5632**

**Idaho Department of Water Resources**
**Southern Region Office**
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3033
**By U.S. Mail and Facsimile**
**(208) 736-3037**

KATHLEEN MARION CARR